

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JUNE 3, 1991, 6:30 P.M., COUNCIL CHAMBERS

This Special Meeting was called to order by Council President Cross at 6:30 P.M.

MEMBERS PRESENT: Abbey, Card, Cross, Hammon, Martinbianco, Smiley and Cross.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor Jane L. Nimcheski; K. Collard, City Administrator and W. Walworth, City Clerk.

PURPOSE OF THE MEETING: Discussion and possible action on the Appeal for Lot Split #91-11.

PRESENTATION:

None.

AUDIENCE PARTICIPATION:

Catherine Kaad, 1504 Alcona, expressed her concern on splitting Mr. Davis's lot. She said the land is in a floodplain and the added drainage would have an effect on her drainage problems.

Tonya Speakes, 1492 Alcona, said that fill has been added to the lots and this split will cause added drainage problems for the area.

John Davis, 1514 Alcona, explained how the drainage looked from his perspective.

Margie Hall, who has purchased the land, said it would be an improvement after she had cleared the property.

COUNCIL DISCUSSION:

Mr. Martinbianco said a release from the DNR would not occur until building permits were requested.

Mr. Cross read into the record, Margie Davis' letter from the DNR. (attached)

Mr. Collard said the concern of the DNR is the new structure, but they did not show concern for the surrounding structures.

Mr. Smiley said the split had been approved by the Planning Commission and the issue was a lot split, not the drainage situation. He said the split met the ordinance requirements.

Mr. Collard said that the deed restrictions cannot be enforced by the City, but only in the Courts.

SPECIAL COUNCIL MEETING MINUTES
JUNE 3, 1991/6:30 P.M.
PAGE -2-

Mr. Martinbianco presented an example of deed restrictions in the area from a purchase in 1976 and asked that it be made a part of the record.(attached)

Mr. Smiley made a motion to approve the lot split which died for lack of a second.

COUNCIL ACTION:

Moved by Walls, supported by Martinbianco to deny the lot split. Motion failed 3-4 with Hammon, Martinbianco and Walls voting yes.

Meeting adjourned at 7:00 P.M.

Respectfully Submitted,

William R. Walworth, CMC
Burton City Clerk

WRW/cml